

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**UNIVERSAL ATLANTIC SYSTEMS,
INC.,**

Plaintiff,

v.

**HONEYWELL INTERNATIONAL, INC.,
Defendant.**

CIVIL ACTION

NO. 17-4660

ORDER

AND NOW, this 26th day of September, 2019, upon consideration of Defendant's Motion for Entry of Judgment and briefing in support thereof (ECF Nos. 76 & 79) and Plaintiff's briefing in opposition therefore (ECF No. 78),

The Court hereby reaffirms its Memorandum and Opinion dated May 14, 2019 (ECF No. 72) and the related Order (ECF No. 73) granting Defendant's Motion for Summary Judgment on Plaintiff's First Amended Complaint (ECF No. 16) and granting Defendant's Motion for Summary Judgment on its counterclaim against Plaintiff (ECF No. 35).

It is hereby **ORDERED** that **JUDGMENT IS ENTERED** in favor of Defendant, Honeywell International, Inc., against Plaintiff, Universal Atlantic Systems, Inc., in the amount of \$1,584,000.00.¹

This case is hereby **CLOSED**.

BY THE COURT:

/s/Wendy Beetlestone, J.

WENDY BEETLESTONE, J.

¹ On May 14, 2019, summary judgment was entered for Defendant on its counterclaim. ECF No. 72. The Court found that Plaintiff had not disputed the damages associated with Defendant's counterclaim. *Id.* at 22. An order was issued in addition to the Court's opinion. *See* ECF No. 73. Plaintiff noticed its appeal to the Third Circuit two weeks later. *See* ECF No. 74.

On August 5, 2019, Defendant filed a motion for entry of judgment pursuant to Federal Rule of Civil Procedure 58(d), which provides that “[a] party may request that judgment be set out in a separate document as required by Rule 58(a).” *See* ECF No. 76. Plaintiff filed an opposition brief, which purports to be a response to Defendant’s motion, but effectively is a motion to alter or amend the judgment because Plaintiff now seeks a jury trial on the calculation of damages for the counterclaim. *See* ECF No. 78. The time for such a motion has passed. *See* E.D. Pa. L.R. 7.1(g) (requiring motions for reconsideration to be filed within fourteen days of entry of an order).